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IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

FILED

ALPHONSO F. WALKER, III
Plaintiff

SPRINGCO METAL COATINGS, INC. - ET AL.
Defendant

Case No: CV-15-844064

2016 FEB 18 A 11: 24

Judge: MICHAEL J RUSSO

CLERK OF COURTS
CUYAHOGA COUNTY

JOURNAL ENTRY

96 DISP.OTHER - FINAL

THIS MATTER COMES BEFORE THE COURT AS AN ADMINISTRATIVE APPEAL FILED BY APPELLANT ALPHONSO F. WALKER, III PURSUANT TO R.C. 4141.282. WALKER APPEALS THE DECISION OF THE UNEMPLOYMENT COMPENSATION REVIEW COMMISSION THAT DENIED HIS CLAIM FOR UNEMPLOYMENT BENEFITS ON THE BASIS THAT HE QUIT EMPLOYMENT WITH APPELLEE SPRINGCO METAL COATINGS INC. WITHOUT JUST CAUSE UNDER R.C. 4141.29(D)(2)(A). APPELLANT'S SOLE ASSIGNMENT OF ERROR IS THAT NEITHER HE NOR HIS COUNSEL EVER RECEIVED NOTICE OF THE HEARING HELD ON JANUARY 30, 2015 BEFORE HEARING OFFICER JOSEPH BLAKER. AFTER WALKER'S APPLICATION FOR DETERMINATION OF BENEFITS WAS DISALLOWED, HE TIMELY FILED A REQUEST FOR REVIEW BEFORE THE UNEMPLOYMENT COMPENSATION REVIEW COMMISSION. HIS REQUEST INFORMED THE REVIEW COMMISSION THAT WALKER, WHO RESIDED IN A HOMELESS SHELTER, AND HIS COUNSEL FAILED TO RECEIVE NOTICE OF THE HEARING. THE REVIEW COMMISSION HAD THE AUTHORITY PER R.C. 4141.281(D)(6) TO VACATE THE DECISION BUT DISALLOWED THE REQUEST FOR REVIEW. AFTER DUE CONSIDERATION OF THE CERTIFIED RECORD OF THE REVIEW COMMISSION, THE BRIEFS FILED BY THE PARTIES, AND THE APPLICABLE LEGAL AUTHORITY, THE COURT FINDS THAT THE DECISION OF THE REVIEW COMMISSION WAS UNLAWFUL AND UNREASONABLE AND REMANDS THE MATTER TO THE COMMISSION FOR A FULL HEARING PURSUANT TO R.C. 4141.282(H).
COURT COST ASSESSED AS DIRECTED.

Mil J Russo 2-17-16
Judge Signature Date

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02/17/2016